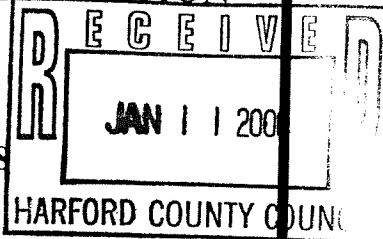


# ZONING RECLASSIFICATION APPLICATION

## Harford County Board of Appeals

Bel Air, Maryland 21014



Shaded Area For Office Use Only

Case No. 110

Date Filed 1-6-00

Hearing Date \_\_\_\_\_

Pre-Conf. \_\_\_\_\_

Receipt \_\_\_\_\_

Fee \$700<sup>00</sup>

### Note

1. It is required that the applicant have a pre-filing conference with the Department of Planning and Zoning to determine the necessary additional information that will be required.
2. The burden of proof in any rezoning case shall be upon the Petitioner.
3. Any application in a zoning case and any amendment thereto shall contain specific allegations setting forth the basis for granting of the request.
4. Petition must contain names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.
5. Application will be reviewed for completeness within ten (10) working days of submittal. Applicant will be notified by mail of completeness of application.

### Petitioner

Name Waters Edge Properties, LLC  
Waters Edge Corporate Campus LLC Phone Number \_\_\_\_\_ Call Attorney \_\_\_\_\_  
Address 2105 Laurel Bush Road Bel Air MD 21015  
Street Number Street State Zip Code

Property Owner Waters Edge Properties, LLC  
Waters Edge Corporate Campus LLC Phone Number \_\_\_\_\_ Call Attorney \_\_\_\_\_  
Address 2105 Laurel Bush Road Bel Air MD 21015  
Street Number Street State Zip Code

Contract Purchaser N/A Phone Number \_\_\_\_\_

Address \_\_\_\_\_  
Street Number Street State Zip Code

Attorney/Representative John J. Gessner Phone Number 410-893-7500  
Hertsch, Gessner & Snee, P.A.

Address 11 South Main Street Bel Air MD 21014  
Street Number Street State Zip Code

Hearing: 3/15/00

## Land Description

Address and Location of Property (with nearest intersecting road) See attached

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Subdivision \_\_\_\_\_ Lot Number \_\_\_\_\_ Acreage/Lot Size See Attached Election District 1st

Existing Zoning R4 Proposed Zoning CI Acreage to be Rezoned 4.946+

Tax Map No. 62 Grid No. See Attached Parcel See Attached Deed Reference See Attached

Critical Area Designation IDA Land Use Plan Designation Industrial Employment

Present Use and ALL improvements: Vacant

Proposed Use (If for subdivision development, proposed number of lots, type of dwellings, and type of development.  
Example: Conventional, Conventional with Open Space, Planned Residential Development) Office Building

Is the property designated a historic site, or does the property contain any designated or registered historic structures?  
N/A If yes, describe: \_\_\_\_\_

Estimated Time Requested to Present Case: 30 minutes

## Required Information To Be Attached

(Submit three (3) copies of each):

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and if so, the nature of the mistake and facts relied upon to support this allegation.

(2) A statement as to whether there is an

allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change.

(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

(2) Proposed nature and distribution of land uses, not including engineering drawings.

(3) Neighborhood (as defined by the Applicant).

ATTACHMENT A  
FOR ZONING RECLASSIFICATION APPLICATION OF WATERS EDGE  
PROPERTIES, LLC AND WATERS EDGE CORPORATE CAMPUS LLC

The Zoning Reclassification Application requests the following information.

Petitioner's submission is as follows:

"(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation."

Petitioner: See attachment A-1, List of Adjoining Property Owners.

"(b) A statement of the grounds for the application including:

"(1) A statement as to whether there is an allegation of mistake as to the existing zoning and, if so, the nature of the mistake and facts relied upon to support this allegation."

Petitioner: A mistake occurred in the legal sense when the subject property was zoned R-4 during the last Comprehensive Rezoning in 1997. The County Council did not realize that the revitalization of the Route 40 area would take place or that the Bata Hotel, formerly located on the subject property, was not salvageable and would be demolished. Accordingly, the County Council erroneously assumed that the subject property should be zoned R-4. Based on information now available, the subject property's R-4 zoning classification is no longer appropriate. The subject property should be rezoned CI, Commercial Industrial.

"(2) A statement as to whether there is an allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change."

Petitioner: None.

"(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion."

Petitioner: The proposed classification is in conformance with the Master Plan.

"(d) A concept plan shall be submitted by the applicant at the time the application is filed. The concept plan shall illustrate the following:

1. Location of site;
2. Proposed general nature and distribution of land uses but need not include engineered drawings;
3. Neighborhood;
4. All surrounding zoning; and
5. Proposed public or private capital improvements.

Petitioner: See attachment A-2 and A-3

"(e) List previous rezonings and recommendations since the effective date of the Comprehensive Rezoning, within the neighborhood of the petitioned area, their case numbers, dates, and decisions."

Petitioner: None.

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"(f) Map indicating woods, fields, streams, floodplains, non tidal wetlands, etc."

Petitioner: See Attachment A-4

"(g) Property deed, and a boundary survey prepared and sealed by a registered surveyor, including dimension of area requested to be rezoned if only a portion of the property."

Petitioner: See Attachments A-5 (Title Deeds) and A-6

"(h) Private restrictions or covenants, if any, applicable to subject parcel."

Petitioner: None

"(i) Any agreements with individuals or associations in the neighborhood related to the proposed zoning shall be submitted."

Petitioner: None .

"(j) Availability of public water and sewer."

Petitioner: Public water and sewer service are available to the property.

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**ATTACHMENT TO APPLICATION OF WATERS EDGE PROPERTIES, LLC  
AND WATERS EDGE CORPORATE CAMPUS, LLC**

**LAND DESCRIPTION**

Address and Location of Property (with nearest intersecting road)

Acreage/Lot Size

Map 62, Parcel 829	1.42 acres +/-	Bata Boulevard, Belcamp
Map 62, Parcel 830	1.50 acres +/-	150 Bata Boulevard Belcamp
Map 62 Parcel 831	3.13 acres, +/-	Bata Boulevard Belcamp
Map 62 Parcel 832	2.18 acres, +/-	Bata Boulevard, Belcamp
Map 62 Parcel 61	35.55 acres, +/-	4501 Pulaski Highway, Belcamp

Grid 2F; 1F

Deed Reference 3116/0356; 3116/0360; 2681/0001;2681/0086

## Additional Information as Required by the Department of Planning and Zoning

- (4) All surrounding zoning.
- (5) Proposed public or private capital improvements.
- (e) Previous individual rezonings and recommendation since the effective date of the Comprehensive Rezoning, within the neighborhood of the petitioned area, their case numbers, dates, and decisions.
- (f) Environmental features map indicating woods, fields, streams, floodplains, non-tidal wetlands, etc.
- (g) Property deed and a boundary survey prepared and sealed by a registered surveyor, including dimension of area requested to be rezoned if only a portion of the property.
- (h) Private restrictions or covenants, if any, applicable to subject parcel.
- (i) Any agreements with individuals or associations in the neighborhood related to the proposed zoning shall be submitted.
- (j) Availability of public water and sewer.

- (a) Existing and proposed libraries, parks, schools, fire and police departments.
- (b) Demonstration of compatibility of the proposed use with existing and proposed development for the area.
- (c) Traffic impact study.
- (d) Economic and Environmental impact studies.
- (e) Estimated population for existing and proposed petitioned area and neighborhood, as defined.
- (f) Soils analysis.
- (g) Aerial photograph.

CASE 110 MAP 62 TYPE Rezoning

ELECTION DISTRICT 1 LOCATION Bata Boulevard, 4501 Pulaski Hwy.,  
Belcamp, Md. 21017

BY Waters Edge Properties LLC, Waters Edge Corporate Campus LLC, 2105 Laurel Bush  
Road, Bel Air, Md. 21015

Appealed because a petition for rezoning pursuant to Section 267-12A of the Harford County  
Code to rezone 4.946 acres from an R4 District to a CI District requires approval by the Board.

I/We do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my/our knowledge, information, and belief.

SEE ATTACHED

Signature of Applicant/Owner Date

Witness Date

Signature of Contract Purchaser/Owner Date

Witness Date

Signature of Attorney/Representative Date

Witness Date

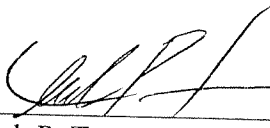
Director of Planning and Zoning Date


Zoning Staff Date

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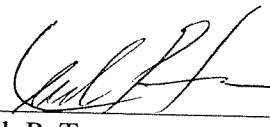
ATTACHMENT TO APPLICATION OF WATERS EDGE PROPERTIES, LLC  
AND WATERS EDGE CORPORATE CAMPUS LLC

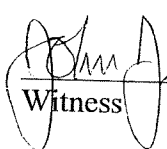
WATERS EDGE PROPERTIES, LLC

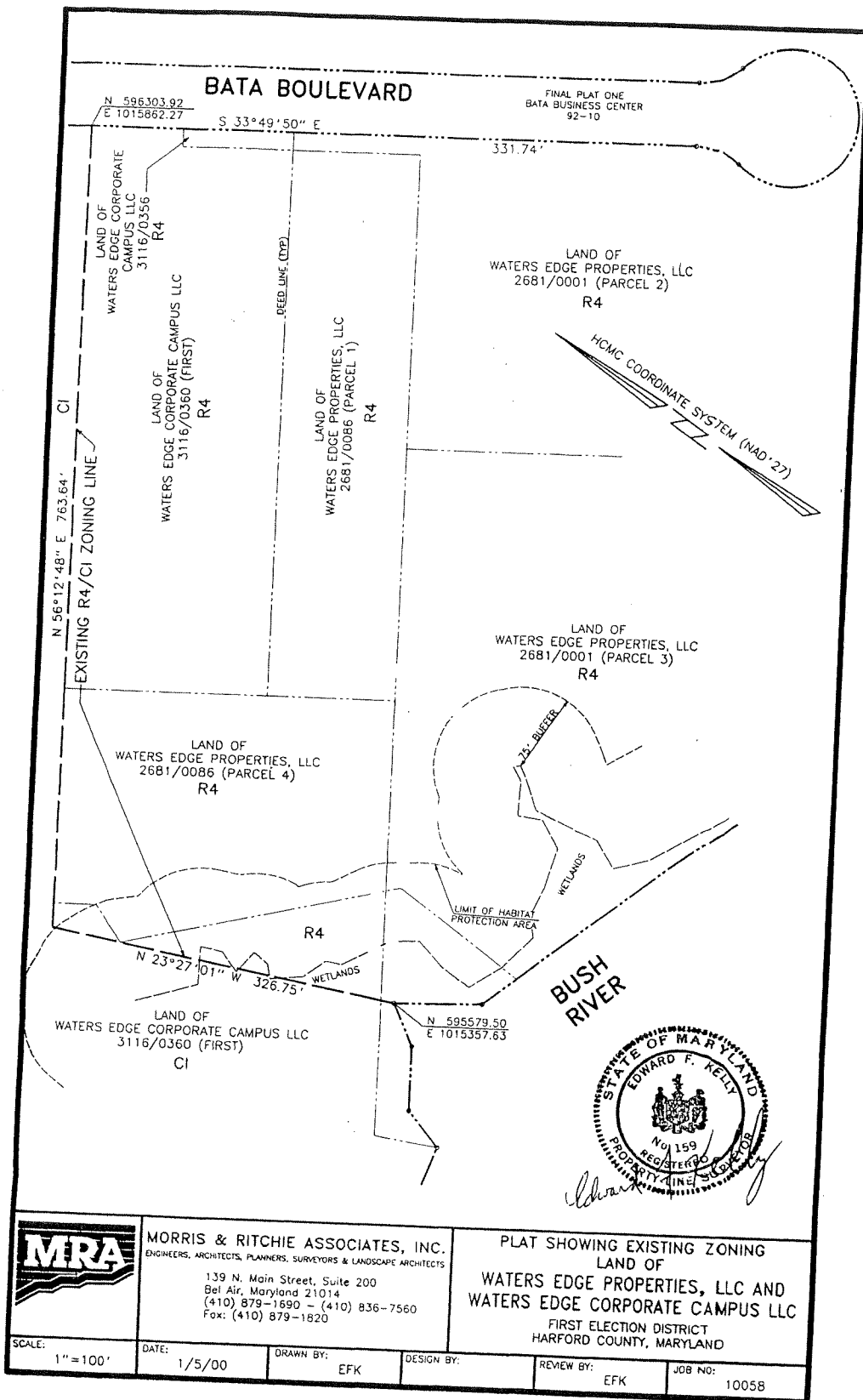
BY:  1/6/00  
Clark P. Turner Date  
Managing Member  
Signature of Petitioner

 1/6/00  
Witness Date

WATERS EDGE CORPORATE CAMPUS LLC

BY:  1/6/00  
Clark P. Turner Date  
Managing Member  
Signature of Petitioner

 1/6/00  
Witness Date



43

/9435/explot4



**MORRIS & RITCHIE ASSOCIATES, INC.**  
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS & LANDSCAPE ARCHITECTS  
139 N. Main Street, Suite 200  
Bel Air, Maryland 21014  
(410) 879-1890 - (410) 836-7560  
Fax: (410) 879-1820

**PLAT SHOWING EXISTING ZONING  
LAND OF  
WATERS EDGE PROPERTIES, LLC AND  
WATERS EDGE CORPORATE CAMPUS LLC**  
FIRST ELECTION DISTRICT  
HARFORD COUNTY, MARYLAND

SCALE: 1" = 100'	DATE: 1/5/00	DRAWN BY: EFK	DESIGN BY:	REVIEW BY: EFK	JOB NO: 10058
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**ATTACHMENT TO APPLICATION OF WATERS EDGE PROPERTIES, LLC  
AND WATERS EDGE CORPORATE CAMPUS LLC**

LIST OF PERSON HAVING LEGAL OR EQUITABLE INTEREST IN THE  
SUBJECT PROPERTY

WATERS EDGE PROPERTIES, LLC

MEMBERS:

Clark P. Turner  
2105 Laurel Bush Road  
Bel Air, Maryland 21015

Deborah M. Turner  
2105 Laurel Bush Road  
Bel Air, Maryland 21015

WATERS EDGE CORPORATE CAMPUS LLC

MEMBERS:

Clark P. Turner  
2105 Laurel Bush Road  
Bel Air, Maryland 21015

Deborah M. Turner  
2105 Laurel Bush Road  
Bel Air, Maryland 21015

Mortgagee/Trustees: